

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD J. ALLISON,

Plaintiff

v.

CLARK COUNTY DETENTION CENTER,
et al.,

Defendants.

Case No. 2:22-cv-00873-ART-BNW

ORDER

I. DISCUSSION

On May 31, 2022, Plaintiff, an inmate in the custody of the Nevada Department of Corrections ("NDOC"), submitted a civil rights complaint under 42 U.S.C. § 1983. (ECF No. 1-1.) Plaintiff did not file an application to proceed *in forma pauperis*.

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to begin a civil action in this Court may apply to proceed *in forma pauperis* in order to file the civil action without prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

(1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),

(2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and

(3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**.

The Court will grant Plaintiff a **one-time extension** to file a fully complete application to proceed *in forma pauperis* containing all three of the required documents. Plaintiff will file a fully complete application to proceed *in forma pauperis* on or before **August 14, 2022**. Absent unusual circumstances, the Court will not grant any further extensions of time. If Plaintiff does not file a fully complete application to proceed *in forma*

1 *pauperis* with all three required documents on or before **August 14, 2022**, this case will
 2 be subject to dismissal without prejudice for Plaintiff to file a new case with the Court
 3 when Plaintiff is able to acquire all three of the documents needed to file a fully complete
 4 application to proceed *in forma pauperis* or pays the full \$402 filing fee.

5 A dismissal without prejudice means Plaintiff does not give up the right to refile the
 6 case with the Court, under a new case number, when Plaintiff has all three documents
 7 needed to submit with the application to proceed *in forma pauperis*. Alternatively, Plaintiff
 8 may choose not to file an application to proceed *in forma pauperis* and instead pay the
 9 full filing fee of \$402 on or before **August 14, 2022**, to proceed with this case.

10 The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1) but the Court
 11 will not file the complaint unless and until Plaintiff timely files a fully complete application
 12 to proceed *in forma pauperis* with all three documents or pays the full \$402 filing fee.

13 **II. CONCLUSION**

14 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court will send
 15 Plaintiff the approved form application to proceed *in forma pauperis* by an inmate, as well
 16 as the document entitled information and instructions for filing an *in forma pauperis*
 17 application.

18 IT IS FURTHER ORDERED that on or before **August 14, 2022**, Plaintiff will either
 19 pay the full \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$52
 20 administrative fee) or file with the Court:

21 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this
 22 Court's approved form (i.e. pages 1 through 3 of the form with the inmate's two
 23 signatures on page 3),

24 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail
 25 official (i.e. page 4 of this Court's approved form), and


26 (3) a copy of the **inmate's prison or jail trust fund account statement for the**
 27 **previous six-month period.**

28 IT IS FURTHER ORDERED that, if Plaintiff does not file a fully complete

1 application to proceed *in forma pauperis* with all three documents or pay the full \$402
2 filing fee for a civil action on or before **August 14, 2022**, this case will be subject to
3 dismissal without prejudice for Plaintiff to refile the case with the Court, under a new case
4 number, when Plaintiff has all three documents needed to file a complete application to
5 proceed *in forma pauperis* or pays the the full \$402 filing fee.

6 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint
7 (ECF No. 1-1) but will not file it at this time.

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9 DATED: June 15, 2022.

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12 BREND A WEKSLER
13 UNITED STATES MAGISTRATE JUDGE
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